



**Townsend Planning Commission Meeting Minutes  
September 13<sup>th</sup>, 2023 @ 7:00 pm  
Town Hall and via Conference Call**

**7:00 pm – PC Meeting**

- I. Call to Order 7:04 pm.**
- II. Opening Ceremonies**
  - A. Roll Call – Troy Geiger, Eschalla Clarke, Januarius Asongu (JJ), James Reyes, Town Manager A. Tantillo (TM), Town Clerk M. Rivera (TC), and Town Engineer E. Van-Otoo (TE). Planning Commission member Lisa Brooks was absent.**
  - B. Pledge of Allegiance- all present recited the pledge of allegiance.**
  - C. Visitor Acknowledgement – None present.**
  - D. Additions/Changes to the Agenda – TM advised discussion may be held regarding parcel annexations. Planning Commission (PC) agreed to add this item to the agenda.**
  - E. Announcements –**
    - 1. Ms. Clarke advised the Board of Adjustment (BOA) met on 08/30 to discuss the variance application for special use of a storage facility at the property 100 Karins Blvd. Ms. Clarke explained the presentation was done very well, however the applicant did not meet the legal standards therefore the BOA voted unanimously in opposition. Ms. Clarke also noted residents who attended the BOA meeting strongly opposed storage facility use at this location.**
    - 2. TM explained the variance applicant must demonstrate unnecessary hardship. This is demonstrated by showing the following:**
      - a. The property cannot yield a reasonable return when used only for the permitted use;**

- b. The need for a variance is due to unique circumstances and not general conditions in the neighborhood;
- c. The use will not alter the essential character of the locality; and
- d. All uses permitted on the land under the existing zoning are economically unfeasible (under the circumstances).

**III. Minutes from the August 16<sup>th</sup> Planning Commission meeting to review and approve.**

**A. Ms. Clarke motioned to approve. Mr. Asongu seconded the motion. Voice vote: all yea's.**

- 1. 08/16/2023 minutes approved.**

**IV. Discussion regarding Annexation.**

**A. TM advised the following properties are interested in annexing into Town.**

- 1. 6170 Summit Bridge Rd – currently zoned residential however the owner requests to zone the property as commercial/mixed use.**
- 2. 6091 summit – currently zoned suburban residential however the owner requests to zone the property as commercial.**

**B. TM noted future annexation map is under revision and requested to change the current revised annexation to reflect the owners requests.**

**C. TM to make the changes and bring to the next meeting for final review and approval to send to PLUS (Preliminary Land Use Service).**

**V. Discussion regarding Chapter 24 Zoning and Unified Development Code.**

**A. Mr. Geiger referenced the Middletown – 4.L.AP District: Agricultural Preservation. Mr. Geiger noted Smyrna's Zoning code was much more detailed.**

**B. Mr. Geiger noted there is no annexed Suburban Reserve district, in NCC (New Castle County) Code. TM noted NCC code may be different than the Town and PC may decide to adopt NCC code for this section. Ms. Clarke advised PC should reach out to NCC for more information.**

**C. PC reviewed NCC Code – Section 40.02.234. Mr. Geiger noted the Townsend Municipal Code (TMC) is very close to NCC Code verbiage. PC agreed additional research is needed to better define the code. Additionally, need to research what the provisions and restrictions are as currently defined in the TMC. TM advised PC members to send over anything they find for the next meeting’s discussion.**

**VI. Discussion regarding Chapter 24 – Appendix B of the Town’s Municipal Code.**

**A. TM recommended to include distribution to the Townsend Police Department under steps #5 and #12 to review and advise if there are any safety concerns with entrances. TM explained this flow chart is for those interested in subdividing or developing their property.**

**B. TM advised developers have recommended to combine steps #1 - #3.**

**1. TM explained the steps in the flow chart. PC and TM discussed how to reorganize steps. TE provided insight. All agreed to add a special note stating proceed at your own risk.**

**a. Recommendation to edit for title only in flowchart with a separate key that explains the process under the title and provides a timeline.**

**b. TE noted there was previously a word document used administratively, that explained the process in further detail. PC agreed to utilize this to create a word document with flow chart explanations for each section.**

**c. Flow chart to be broken into three phases:**

**i. Steps #1 – #8**

**ii. Steps #9 – #13**

**iii. Steps #14 – #21.**

- d. **TM advised the flow chart, and the manual should be referenced in 24.32 as a separate section. Noting, renumbering may be needed for the flow of the TMC.**
- e. **Mr. Geiger noted Public Hearings are held at steps #13 and #14 , however this is not stated on the flow chart and should be added to the flow chart process. Step #13 is for the PC and Step #14 is for TC.**

**Mr. Geiger to provide a rough draft and TM will add any additional revisions for the next meeting.**

**VII. Discussion regarding October meeting date.**

**A. All present confirmed availability for 10/11 meeting date at 7 pm.**

**B. Agenda items:**

- 1. Annexation map.**
- 2. Ch 24 continued with the focus on Suburban Reserve; PC members to submit recommendations from research.**
- 3. Flow Chart.**

**VIII. Adjourn**

**A. Ms. Clarke motioned to adjourn. Mr. Reyes seconded the motion. Voice vote: all yea's.**

**B. Meeting adjourned at 9:02 pm.**